

BROMBERG LAW OFFICE, P.C.

Brian L. Bromberg (Admitted in NY, NJ & CA)

352 Rutland Road, #1
Brooklyn, NY 11225
Phone: (212) 248-7906
Fax: (212) 248-7908

MEMO ENDORSED

April 28, 2025

Via ECF

Honorable Katherine Polk Failla, U.S.D.J.
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Foley v. IRBsearch, LLC, SDNY Case No. 24-CV-1303 (KPF)

Dear Judge Failla:

My office, together with co-counsel, represents the plaintiff, Kathleen Foley, in the above-referenced case.

I am writing on behalf of all parties who have appeared to request that Your Honor reschedule the April 29th deadline for the holding of the Rule 26(f) Conference and the submission of a proposed case management plan until 21 days after the third-party defendant, On Point Investigations LLC, has appeared. I am making this request, because on April 25, 2025, the defendant, IRBSearch, LLC, filed a Third-Party Complaint, which has not yet been served. Without the third-party defendant having been joined in this action, it would be difficult to hold a meaningful Rule 26(f) Conference or to work out a discovery schedule.

The Parties further request that due to the complexity of this class and third-party practice case, a Rule 16(b) Conference would be beneficial. We request that the Court schedule such a conference as soon as its schedule allows following the submission of the Parties' Rule 26(f) report.

Respectfully,

/s/ Brian L. Bromberg
Brian L. Bromberg

cc: All Attorneys of Record (Via ECF)

Application GRANTED. The April 29, 2025 deadline to submit a revised case management plan is adjourned *sine die*.

The parties are directed to file a status update within **one week** from when third party defendant, On Point Investigations LLC, appears, or on **May 29, 2025**, whichever comes first, so that the Court can reset the deadline for the revised case management plan and set a conference.

The Clerk of Court is directed to terminate the pending motion at docket entry 31.

Dated: April 29, 2025
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE